

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MAYA PYSKATY,

Plaintiff,

-against-

WIDE WORLD OF CARS, LLC D/B/A WIDE
WORLD BMW AND BMW BANK OF NORTH
AMERICA,

Defendants.
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Civil Action No.:
1:15-CV-1600 (JCM)

**WIDE WORLD OF CARS, LLC's
EXPERT WITNESS DISCLOSURE**

Pursuant to Fed. R. Civ. P. 269(1)(2), Defendant WIDE WORLD
OF CARS LLC D/B/A WIDE WORLD BMW hereby discloses Michael
Jackson as an expert witness it may use at trial. A copy of Mr.
Jackson's expert report in conformity with Rule 26(a)(2)(B) is
attached hereto.

Dated: September 29, 2017
Poughkeepsie, NY

Yours etc.,


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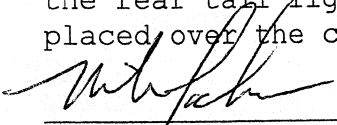
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NARRATIVE REPORT

On August 10, 2017, the vehicle purchased by Mrs. Pyskaty (Sieber) was delivered to the Wide World of Cars dealership by flatbed. The battery was dead so it had to be charged to start the car. The vehicle was then pulled into our service area and put up on a lift. A visual inspection of the wheels and tires on the vehicle revealed that all the tires were badly and unevenly worn, and unsafe to drive. Additional inspection revealed that all four (4) wheels were bent. We then removed the four (4) wheels and tires and placed on it wheels and tires from another BMW on our lot which per a visual inspection were straight with good treads.

The vehicle was then road tested, first driven by myself and then by Efrain Lopez. It was driven over local roads and then on the Palisades Interstate Parkway for several miles. During the drive we changed the suspension through all three settings and at times manually shifted the car into lower gear to increase the RPMs above normal cruising range. At no time during this test drive did we feel or hear any abnormal vibration in the car, and certainly not the type of vibration testified to by Mrs. Pyskaty at her deposition. We detected no problem with the power steering either upon starting the car or during its drive. We noticed no issues with the automatic door locks. The driver's door opened and closed without difficulty as well. There is no missing "X drive" badge from the rear of the vehicle as on that model year the "X drive" badge is located on the front quarter panel of the car by the driver and passenger doors. No unusual noises were noted from the suspension during the drive.

The car was then plugged in for diagnostic checks by computer. Aside from fault codes relating to the fact that the battery was bad, we found no faults of any significance. A check of the car's warranty repair history reveals there is an open recall engine service that has not been performed. The vehicle was inspected to determine if there was any issue related to its body work and structure that would have disqualified the car from being a certified pre-owned vehicle at the time it was sold to Mrs. Pyskaty; none were found. We did note that there had been some cosmetic changes to the vehicle in that the windows are tinted, some tinting tape had been placed over a portion of the rear tail lights and a black plastic "eyebrow" had been placed over the clear "eyebrow" on the front headlights.



Michael Jackson
Service Manager